

PIMA COUNTY COMMISSION ON TRIAL COURT APPOINTMENTS

MINUTES

July 20, 2020

PRESENT by PHONE: Justice Andrew Gould, Chair; Marian Hill; Julie Katsel; Michael Hennessy; Richard Schaefer; Micah Schmit; Nanette Warner; Neal Eckel; Walter Nash and Sherry Downer

ABSENT: Cassia Lundin and John Barry

Justice Andrew Gould called the meeting to order at 10:03 a.m.

Justice Gould introduced himself and determined there was a quorum. He thanked the Commission members and public present for their flexibility in attending the meeting by conference call.

Public Comment

Justice Gould asked for public comments on the applicants. He named each speaker that had signed up to speak and asked if there were additional speakers present on the call. He reminded the speakers that they would be limited to two minutes each and asked them not to repeat comments by previous speakers about the same candidate.

Lindsay St. John spoke on behalf of Victoria Otto.
Ruth Kneale spoke on behalf of Victoria Otto.
Sterling Struckmeyer spoke on behalf of Efthymios Katsarelis.
Nickie Hinderaker spoke on behalf of on behalf of Ken Sanders.
Mark Lemon on behalf of Gary Cohen.
Paul Loucks on behalf of Gary Cohen.
Robert McCright on behalf of Ken Sanders.
Lawrence Schubart on behalf of Danielle Kamps Constant.
Leslie Pearl on behalf of Ken Sanders.

Approval of Minutes

Justice Gould asked if any member wished to submit changes or additions to the draft minutes of the December 18, 2019 meeting. It was moved that the minutes be approved as submitted. The motion was seconded and passed unanimously.

Disqualifications and Disclosures

Justice Gould inquired about any basis for additional disqualification or disclosure not previously mentioned, pursuant to the commission's rules regarding conflict of interest or bias.

Neal Eckel disclosed that Justin Castillo was opposing counsel on a matter that was resolved recently. He also disclosed that he spoke to Danielle Kamps Constant, Jeffrey Sklar and Thomas Laue regarding the application process, and he referred a case to Thomas Laue in the past.

Michael Hennessy disclosed that he spoke to Jeffrey Sklar and Danielle Kamps Constant regarding the application process.

Julie Katsel disclosed that she spoke to Danielle Kamps Constant and Gary Cohen regarding the application process and Jeffrey Sklar was the Judge Pro Tem for an arbitration she was involved in, but the case is no longer ongoing.

Walter Nash disclosed that he spoke with Danielle Kamps Constant and Jeffrey Sklar regarding the application process. He also disclosed that he has been a longtime friend of Kimberly Harris Ortiz stepdad, but he only met her before high school. He further disclosed that he taught a class with Nanette Morrow in law school for the last 5-6 years.

Micah Schmit disclosed that he has worked in the same firms but not directly with Nathaniel Walters, Victoria Otto, Paul Skitzki, Kimberly Harris Ortiz and Gioia Sanderson. He also disclosed that he knows Kimberly Harris Ortiz from tribal interactions and she reached out to him a few weeks ago to use him as a reference for a case and they occasionally run into each other at law school's career day. He further disclosed that his children attend the same high school as Gioia Sanderson's children and that he spoke to Danielle Kamps Constant about the application process.

Marian Hill disclosed that she served with Gioia Sanderson on this commission.

Nanette Warner disclosed that she spoke to Kimberly Harris Ortiz, Danielle Kamps Constant, Victoria Otto and Jeffrey Sklar about the application process. She also disclosed that she knows Gioia Sanderson from serving at this commission in the past.

Sherry Downer disclosed that she spoke to Thomas Laue and Jeffrey Sklar a few months ago and currently serves on the Fox Theater Foundation Board with Mr. Laue. She also disclosed that she knows Gioia Sanderson from serving on this commission in the past.

Discussion and Selection of Applicants for Interviews

Justice Gould explained that he would read the names of each applicant to determine who the commission will discuss. The applicants that received 3 or more votes will be discussed. The results of the votes were the following:

Justin D. Castillo- 3
Gary J. Cohen- 4
David J. Euchner- 1
M. June Harris- 0
Kimberly A. Harris Ortiz- 5
Danielle J. Kamps Constant- 3
Efthymios S. Katsarelis- 3
Thomas D. Laue- 3
Nanette C. Morrow- 3
Victoria A. Otto- 4
Laurie B. San Angelo- 5
T. Ken Sanders- 5
Gioia R. Sanderson- 3
Paul J. Skitzki- 1

Jeffrey L. Sklar- 4
Nathaniel J. Walters- 0

The Commission took turns discussing each applicant that received 3 or more votes in alphabetical order.

Selection of Applicants to be Interviewed

The Commission decided to start with a list of the applicants who had received unanimous votes for discussion. Justice Gould named the following applicants to be added to the tentative interview list and the vote was unanimous:

Gary J. Cohen- 9	Kimberly A. Harris Ortiz- 9
Laurie B. Dan Angelo- 9	T. Ken Sanders- 9

Justice Gould then called to vote on the remainder of the candidates that were discussed. All those who receive a vote of 5 or more would be added to a tentative interview list. The Commission voted, and the results were:

Justin Castillo- 8
Danielle J. Kamps Constant- 4
Efthymios S. Katsarelis- 8
Thomas D. Laue- 3
Nanette C. Morrow- 8
Victoria Otto- 9
Gioia R. Sanderson- 2
Jeffrey L. Sklar- 7

Nanette Warner moved to interview all applicants with a majority vote and finalize the interview list consisting of **Justin Castillo, Gary J. Cohen, Kimberly A. Harris Ortiz, Efthymios S. Katsarelis, Nanette C. Morrow, Victoria A. Otto, Laurie B. San Angelo, T. Ken Sanders and Jeffrey L. Sklar.** The motion was seconded and passed unanimously.

Discussion of Interview Schedule and Interview Questions

The Commission addressed the logistics of the pending interviews. Justice Gould informed that August 6, 2020 is no longer a conflict for him and it was determined to conduct the interviews that day. The Commission discussed the advantages and disadvantages of in-person interviews and remote interviews. After further discussion, Justice Gould asked the Commission to email staff with their concerns.

The Commission agreed to draft a couple of hypothetical questions for the Commission to review and decide if they would like to use them. The hypothetical questions would be provided to the candidates the morning of the interviews.

The Commission further agreed to hold an executive session by Zoom on August 5th at 2:00 p.m. to select interview questions.

The Commission agreed to have 30-minute interviews on August 6th and the meeting would start at 8:30 a.m.

Discussion of Due Diligence Assignments

After a brief discussion, the following due diligence assignments were agreed on:

Julie Katsel, Marian Hill and Michael Hennessy agreed to contact the non-attorney references of each candidate.

Nanette Warner, Sherry Downer and Richard Schaefer agreed to contact judges.

Walter Nash, Neal Eckel and Micah Schmit agreed to contact the lawyer references of each candidate.

A motion to adjourn was made. The motion was seconded and passed unanimously.

The meeting adjourned at 12:21 p.m.